

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
In re	:	Chapter 11
	:	
DELPHI CORPORATION, <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----	x	

**AFFIDAVIT OF PUBLICATION OF ANTOINETTE CHASE IN THE
USA TODAY (NATIONAL AND INTERNATIONAL EDITION)**



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VERIFICATION OF PUBLICATION

COMMONWEALTH OF VIRGINIA COUNTY OF FAIRFAX

Being duly sworn, Antoinette Chase says that she is the principal clerk of USA TODAY, and is duly authorized by USA TODAY to make this affidavit, and is fully acquainted with the facts stated herein: October 15th 2009 on the following legal advertisement- **DELPHI CORPORATION, et al.** published in the national and international edition of USA TODAY.


Principal Clerk of USA TODAY
October 15 2009

This 15 day of October month
2009 year.


Notary Public

Marcus Dane Edmonds
Notary Public ID 7165468
Commonwealth of Virginia
My commission expires
09/30/2012

MARKETPLACE TODAY

NOTICES

LEGAL NOTICE

LEGAL NOTICE

**Received a discharge in bankruptcy and believe you
ors on your credit report, you could get benefits
from a class action settlement.**

Para una notificación en Español, llamar o visitar nuestro sitio web:

been proposed with Experian
ns, Inc., TransUnion LLC, and
Services LLC ("Defendants") in a
about whether they violated the Fair
ct ("FCRA") and state laws when
had been discharged in bankruptcy
d whether consumers were damaged
the settlement will provide payments
from a \$45 million settlement fund.
may send in a claim form to get
exclude yourself from the settlement,

istrict Court for the Central District
ized this notice. Before any money
ll have a hearing to decide whether
ment.

WHO IS INCLUDED?

ember eligible for benefits if you
7 Bankruptcy order of discharge
ort issued by a Defendant between
d May 11, 2009 (or, for California
case of TransUnion, between
May 11, 2009) reported debts as due
re discharged in your bankruptcy.
you are included, you can get more
www.BankruptcyDischargeSettlement.com
e 1-866-237-3432.

WHAT IS THIS ABOUT?

s that the Defendants violated the
state laws by failing to employ
res to assure maximum possible
g debts discharged in bankruptcy or
investigate disputes from consumers
s. Plaintiffs sought actual, statutory,
es. The Court did not decide which
ertain plaintiffs and the Defendants
the claims in the lawsuit and resolve
efits to consumers.

THE SETTLEMENT PROVIDE?

lishes a \$45 million Settlement Fund
e by class members, administrative
ent, incentive awards to the settling
d attorneys' fees and costs. There
u can choose from to get a damage

you believe you may have had
s in your credit reports regarding

debts discharged in bankruptcy, you can apply for a
convenience award. The amount of the award will
depend on the number of class members making this
claim, but the parties estimate it will be about \$20. If
you certify that you believe you have been harmed by
an error or errors in your credit reports regarding debts
discharged in bankruptcy with respect to a denial of
employment, a mortgage loan or housing rental, and/or
a credit card, auto loan, other credit you applied for, or
payment of a discharged debt to obtain credit, you can
apply for an actual damage award, which is estimated
to range from \$150 to \$750. A Settlement Agreement,
available at the website, describes all of the details about
the proposed settlement.

HOW DO YOU ASK FOR A PAYMENT?

To make a claim you need to obtain a claim form at
www.BankruptcyDischargeSettlement.com or by calling
toll free 1-866-237-3432. Follow the instructions on
the claim form, sign it, and send it in the mail. **Claim
forms are due and must be postmarked no later than
November 30, 2009.**

WHAT ARE YOUR OTHER OPTIONS?

If you don't want to be legally bound by the settlement,
then you must opt out and exclude yourself by
November 30, 2009, or you won't be able to sue, or
continue to sue, Defendants about the legal claims in this
case. If you exclude yourself, you can't get money from
this settlement. If you do not like the settlement or any
part of it, you may object to it by **November 30, 2009**.
The detailed notice explains how to exclude yourself or
object.

The Court has scheduled a hearing in this case (*White
v. Experian Information Solutions, Inc., et al.*, Case
No. 05-cv-1070 DOC (MLGx)) for **January 11, 2010**,
to consider: (1) whether to approve the settlement;
(2) any objections to the settlement, including those raised
by certain non-settling named plaintiffs; (3) a request by
the settling named plaintiffs for an incentive award; and
(4) a request by the lawyers representing all Class
Members for attorneys' fees and costs, for investigating
the facts, litigating the case, and negotiating the
settlement. The fees and costs will come out of
the settlement fund. You may ask to appear at the
hearing, but you don't have to. For more information,
call toll free 1-866-237-3432, visit the website
www.BankruptcyDischargeSettlement.com, or write to:
Settlement Administrator, White, et al. v. Experian
Information Solutions, Inc., c/o The Garden City Group,
Inc., P.O. Box 9517, Dublin, OH 43017-4817.

Delphi Legal Information Hotline:
Toll Free: (800) 718-5305
International: (248) 813-2698

Delphi Legal Information Website:
<http://www.delphidocket.com>

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re Chapter 11
DELPHI CORPORATION, et al., Case No. 05-44481 (RDD)
Debtors. (Jointly Administered)

NOTICE OF (A) ORDER APPROVING MODIFICATIONS TO FIRST
AMENDED JOINT PLAN OF REORGANIZATION OF DELPHI
CORPORATION AND CERTAIN AFFILIATES, DEBTORS AND
DEBTORS-IN-POSSESSION AND (B) OCCURRENCE OF EFFECTIVE DATE

1. **Confirmation Of The Plan.** On January 25, 2008 (the "Confirmation
Date"), the United States Bankruptcy Court for the Southern District of
New York (the "Bankruptcy Court") entered an order confirming the First
Amended Joint Plan Of Reorganization Of Delphi Corporation And Certain
Affiliates, Debtors And Debtors-In-Possession, dated January 25, 2008 (the
"Confirmed Plan"), in the Chapter 11 Cases of Delphi Corporation and certain
of its subsidiaries and affiliates, the debtors and debtors-in-possession in the
above-captioned cases (collectively, the "Debtors").

2. **Approval Of Modifications To The Confirmed Plan.** On July 30,
2009 (the "Modification Approval Date"), the Bankruptcy Court entered an
order (the "Modification Approval Order") approving certain modifica-
tions to the Confirmed Plan embodied in the First Amended Joint Plan Of
Reorganization Of Delphi Corporation And Certain Affiliates, Debtors And
Debtors-In-Possession (As Modified) (the "Modified Plan"), attached as
Exhibit A to the Modification Approval Order. Unless otherwise defined in
this Notice Of (A) Order Approving Modifications To First Amended Joint
Plan Of Reorganization Of Delphi Corporation And Certain Affiliates, Debtors
And Debtors-In-Possession And (B) Occurrence Of Effective Date, capitalized
terms and phrases used herein have the meanings(s) given to them in the
Modified Plan and the Modification Approval Order.

3. **Effective Date.** On October 6, 2009, the Effective Date of the Modified
Plan occurred. The Modified Plan was substantially consummated at a closing
that occurred at the offices of Skadden, Arps, Slate, Meagher & Flom LLP in
New York City, New York, provided however, that all of the transactions con-
templated by the Master Disposition Agreement and related agreements to
occur at the closing are effective for tax and accounting purposes as of 11:58
p.m., local time, on the Closing Date as defined in the Master Disposition
Agreement.

4. **Discharge Of Claims And Termination Of Interests.** Pursuant
to section 1141(d) of the Bankruptcy Code, except as otherwise specifically
provided in the Modified Plan, Confirmation Order, or Modification Approval
Order, the distributions and rights that are provided in the Modified Plan
shall be in complete satisfaction, discharge, and release, effective as of the
Effective Date, of Claims and Causes of Action, whether known or unknown,
against, liabilities of, liens on, obligations of, rights against, and Interests in
the Debtors or any of their assets or properties, regardless of whether any
property shall have been distributed or retained pursuant to the Modified
Plan on account of such Claims, rights, and Interests, including, but not limited
to, Claims and Interests that arose before the Effective Date, and all debts of
the kind specified in sections 502(g), 502(h), or 502(i) of the Bankruptcy
Code, in each case whether or not (a) a proof of claim or interest based upon
such Claim, debt, right, or Interest is filed or deemed filed under section 501
of the Bankruptcy Code, (b) a Claim or Interest based upon such Claim, debt,
right, or Interest is allowed under section 502 of the Bankruptcy Code, or (c)
the holder of such a Claim, right, or interest accepted the Modified Plan. Due
to the occurrence of the Effective Date, the Modification Approval Order shall
be a judicial determination of the discharge of all Claims against and Interests
in the Debtors.

5. Injunctions.

(a) Subject to Article 11.13 of the Modified Plan, the satisfaction,
release, and discharge pursuant to Article XI of the Modified Plan shall act
as an injunction against any Person commencing or continuing any action,
employment of process, or act to collect, offset, or recover any Claim, interest,
or Cause of Action satisfied, released, or discharged under the Modified Plan
to the fullest extent authorized or provided by the Bankruptcy Code, includ-
ing, without limitation, to the extent provided for or authorized by sections
524 and 1141 thereof.

(b) By accepting distributions pursuant to the Modified Plan, each Holder
of an Allowed Claim shall be deemed to have specifically consented to the
injunction set forth in Article XI of the Modified Plan.

6. **Release By Debtors Of Certain Parties.** Pursuant to section
1123(b)(3) of the Bankruptcy Code, but subject to Article 11.13 of the
Modified Plan, effective as of the Effective Date, each Debtor, in its individual
capacity and as a debtor-in-possession for and on behalf of its Estate, shall
release and discharge and be deemed to have conclusively, absolutely,
unconditionally, irrevocably, and forever released and discharged all Released
Parties for and from any and all Claims or Causes of Action existing as of the
Effective Date in any manner arising from, based on, or relating to, in whole
or in part, the Debtors, the subject matter of, or the transactions or events
giving rise to, any Claim or Interest that is treated in the Modified Plan,
the business or contractual arrangements between any Debtor and any Released
Party, the restructuring of Claims and Interests prior to or in the Chapter 11
Cases, or any act, omission, occurrence, or event in any manner related to any
such Claims, Interests, restructuring, or the Chapter 11 Cases. The Reorganized
Debtors, including Reorganized DPH Holdings, and any newly-formed entities
that will be continuing the Debtors' businesses after the Effective Date,
shall be bound, to the same extent the Debtors are bound, by the releases and
discharges set forth above. Notwithstanding the foregoing, nothing in the
Modified Plan shall be deemed to release (i) any of the Debtors or GM from
their obligations under the Delphi-GM Definitive Documents or the trans-
actions contemplated thereby, except to the extent set forth in the Master
Disposition Agreement, (ii) any of the Debtors, the Unions, or GM from their
obligations under the Union Settlement Agreements or the transactions
contemplated thereby, (iii) any of the Buyers from their obligations under the
Master Disposition Agreement, or (iii) any of the Debtors or the Plan Investors
or their affiliates from their obligations under the Investment Agreement or
the transactions contemplated thereby.

7. **Release By Holders Of Claims And Interests.** On the Effective
Date, (a) each Person who votes to accept the Modified Plan and (b) to the
fullest extent permissible under applicable law, as such law may be extended
or interpreted subsequent to the Effective Date, each entity (other than a
Debtor) which has held, holds, or may hold a Claim against or Interest in
the Debtors, in consideration for the obligations of the Debtors and the
Reorganized Debtors under the Modified Plan and Cash, General Unsecured

MDA Distribution, and other contracts, instruments, releases, agree-
ments or documents to be delivered in connection with the Modified Plan
a "Release Obligor"), shall have conclusively, absolutely, uncondi-
tionally, and forever released and discharged all Released Party, from and
from any claim or Cause of Action existing as of the Effective Date in any
manner arising from, based on, or relating to, in whole or in part, the De-
btor, the subject matter of, or the transaction or event giving rise to, the
such Release Obligor, the business or contractual arrangements between
Debtor and Release Obligor or any Released Party, the restructuring
claim prior to the Chapter 11 Cases, or any act, omission, occurrence, or
event in any manner related to such subject matter, transaction, obligation, r-
turing, or the Chapter 11 Cases, including, but not limited to, any claim r-
to, or arising out of the Debtors' Chapter 11 Cases, the negotiation and f-
the Modified Plan, the filing of the Chapter 11 Cases, the formulation, p-
tion, negotiation, dissemination, filing, implementation, administrative
firmation, or consummation of the Modified Plan, the Disclosure Sta-
plan Exhibits, the Delphi-PBGC Settlement Agreement, the Cre-
the Master Disposition Agreement, the Union Settlement Agreement
employee benefit plan, instrument, release, or other agreement or
ment created, modified, amended or entered into in connection with
the Modified Plan or any other agreement with the Unions, including
limited to the Union Settlement Agreements, or any other act taken
taken consistent with the Union Settlement Agreements in connecti-
the Chapter 11 Cases; provided however, that (A) Article 11.5 of the M-
Plan is subject to and limited by Article 11.13 of the Modified Plan;
11.5 of the Modified Plan shall not release any Released Party from an
of Action held by a governmental entity existing as of the Effective Date
on (i) the Internal Revenue Code or other domestic state, city or munici-
city, or municipality, (ii) the environmental laws of the United States or any domes-
city, or municipality, (iii) any criminal laws of the United States or any
city, state, city, or municipality, (iv) the Exchange Act, the Securities Act,
securities laws of the United States or any domestic state, city, or mun-
(v) the Employee Retirement Income Security Act of 1974, as amended,
(vi) the laws and regulations of the Bureau of Customs and Border Pro-
of the United States Department of Homeland Security. Notwith-
the foregoing, all releases given by GM to (i) the Debtors and the
Affiliates shall be as set forth in the Delphi-GM Global Settlement Agr-
and (ii) the Unions shall be as set forth in the Union Settlement Agree-

8. **Assumption And Assignment Of Executory Contract
Unexpired Leases.** Subject to the terms of the Modified Plan, Modi-
Approval Order, and any related Bankruptcy Court orders, upon the occ-
of the Effective Date, each executory contract or unexpired lease assu-
assumed and assigned, as applicable, pursuant to Article VIII of the M-
Plan, shall vest in and be fully enforceable by the applicable Reor-
Debtor or its assignee in accordance with its terms. On the Effective
executory contracts and unexpired leases as to which any Debtor is
are deemed automatically assumed by the applicable Reorganized D-
accordance with the provisions and requirements of sections 365 a-
of the Bankruptcy Code as of the Effective Date, unless such execu-
tracts or unexpired leases (a) have been previously rejected by the De-
Final Order of the Bankruptcy Court, (b) are the subject of a motion t-
or that otherwise authorizes rejection, filed on or before the Modi-
Approval Date, (c) have been rejected or assumed pursuant to a moti-
or transfer property or assets filed by the Debtors prior to the Effecti-
(d) have expired or terminated on or prior to the Effective Date (a-
not otherwise extended) pursuant to their own terms, (e) are lister
schedule of rejected contracts on Exhibit B.1(a) to the Modified Plan,
otherwise rejected pursuant to the terms of the Modified Plan and
the direction of either Buyer pursuant to the Master Disposition Agr-
Subject to the foregoing sentences, entry of the Modification Approval
by the Bankruptcy Court approved the rejections, assumptions, and
rejections and assignments contemplated by the Modified Plan, the Modi-
Approval Order, the Master Disposition Agreement, and related doc-
pursuant to sections 365 and 1123 of the Bankruptcy Code as of the E-
Date.

9. Bar Dates

(a) **Administrative Bar Date.** Requests for payment
Administrative Claim (other than as set forth in Article X of the Modifi-
must be filed with the Claims Agent and served on counsel for the
and the Creditors' Committee no later than November 5, 2009 or sha-
allowed automatically without the need for any objection from the D-
Reorganized Debtors. Unless the Debtors or the Reorganized Debt-
to an Administrative Claim on or prior to May 4, 2010 (unless such o-
period is extended by the Bankruptcy Court), such Administrative Cl-
be deemed allowed in the amount requested. In the event that the D-
the Reorganized Debtors object to an Administrative Claim, the Ba-
Court shall determine the allowed amount of such Administrative Cl-

(b) **Professional Claims And Final Fee Applications.**
requests for payment of Professional Claims and requests for re-
ment of expenses of members of the Statutory Committees must
no later than December 31, 2009. After notice and a hearing in ac-
with the procedures established by the Bankruptcy Code and pri-
of the Bankruptcy Court, the allowed amounts of such Professional
and expenses shall be determined by the Bankruptcy Court. Pursua-
Bankruptcy Court's prior orders, any requirement that Professional
with sections 327 through 331 of the Bankruptcy Code in seeking
or compensation for services rendered terminated on the Confirmat-
and the Reorganized Debtors have employed and paid Professional
ordinary course of business thereafter.

(c) **Substantial Contribution Bar Date.** Except as otherwise
in the Modification Approval Order, any Person who requests compen-
expense reimbursement for making a substantial contribution in the
11 Cases pursuant to sections 503(b)(3), (4), and (5) of the Bankr-
shall file an application with the clerk of the Bankruptcy Court on
November 20, 2009, and serve such application on counsel for the
the Creditors' Committee, the United States Trustee for the Souther-
of New York, and such other parties as may be decided by the Ba-
Court and the Bankruptcy Code on or before November 20, 2009, or i-
barred from seeking such compensation or expense reimbursement
Dated: New York, New York, October 6, 2009

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ John Wm. Butler, Jr. By: /s/ Kayalyn A. Marafioti
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